

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08cr122

UNITED STATES OF AMERICA)
)
)
 vs.)
)
)
MICHAEL CYRUS VAUGHN)
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)

THIS MATTER is before the Court upon request of the defendant for the Court to disclose materials relating to his criminal case, pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552. (Doc. No. 23).

A district court is not an “agency” under FOIA; thus, the Act has no application to materials in the Court’s possession. 5 U.S.C. §§ 551(1)(b) and 552(f)(1); Crystal Grower’s Corp. v. Dobbins, 616 F.2d 458, 461 n.1 (10th Cir. 1980); United States v. Mitchell, No. 03-6938, 2003 WL 22999456 (4th Cir. Dec. 23, 2003) (unpublished).

IT IS, THEREFORE, ORDERED that the defendant's Freedom of Information Act Request (Doc. No. 125) is **DENIED**.

Signed: December 1, 2010

Robert J. Conrad Jr.